

**IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

UNITED STATES OF AMERICA :
 :
v. : **Criminal Number: 4:18-CR-00012**
 :
TREDARIOUS JAMERIQUEAN KEENE :
Defendant. :

GOVERNMENT’S SECOND DEMAND FOR NOTICE OF ALIBI

Pursuant to Fed. R. Crim. P. 12.1(a), you are informed that at the time and on the date set forth below, the identified crimes were committed and with which you have been charged by Indictment. Demand is hereby made upon you to furnish the United States with a written notice of your intention to offer an alibi defense within fourteen (14) days of this demand.

| Offense(s) and Count(s) of Superseding Indictment | Date of Offense | Time of Offense | Location of Offense |
|---|------------------------|--|--|
| VICAR Attempted Murder of Armonti Womack (Count Two); VICAR Attempted Murder of Dwight Harris (Count Six) | June 15, 2019 | 10:00 p.m. to 11:00 p.m. | Southwyck Hills Apartments, Danville, Virginia |
| VICAR Murder of Christopher Motley (Count 10); VICAR Attempted Murder of Justion Wilson (Count 12) | August 20, 2016 | 12 noon to 2:00 p.m. (Time of one of alleged planning meetings for murder) | 124 Forest Lawn Drive, Danville, Virginia |

| | | | |
|--|-----------------|---|--|
| VICAR Murder of Christopher Motley (Count 10); VICAR Attempted Murder of Justion Wilson (Count 12) | August 20, 2016 | 10:00 p.m. to 11:00 p.m. (Shooting of Christopher Motley and at Justion Wilson) | Southwyck Hills Apartments, Danville, Virginia |
|--|-----------------|---|--|

Pursuant to Fed. R. Crim. P 12.1(a)(2), in the event that you intend to offer an alibi defense, you are required to disclose (A) each specific place you claim to have been at the time of the offense, and (B) the names, addresses, and telephone numbers of the witnesses upon whom you intend to rely.

The failure to comply with such request permits the court to exclude any testimony from an undisclosed witness as set forth in Fed. R. Crim. P. 12.1(d). See, United States v. Pearson, 159 F.3d 480, 483 (10th Cir. 1998), citing United States v. Davis, 40 F.3d 1069, 1076 (10th Cir. 1994), and United States v. Fitts, 576 F.2d 837 (10th Cir. 1978); United States v. Barron, 575 F.2d 752, 755-758 (9th Cir. 1978); See United States v. Webster, 769 F.2d 487, 490 (8th Cir. 1985); cf. Taylor v. Illinois, 108 S.Ct 646 (1988).

Respectfully submitted,

THOMAS T. CULLEN
UNITED STATES ATTORNEY

/s/ Ronald M Huber

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of June, 2019, I caused a copy of the foregoing Government's Second Demand for Notice of Alibi to be served by ECF, which provides services on all counsel of record.

/s/ Ronald M Huber
Ronald M. Huber (VA Bar #31135)
Assistant United States Attorneys